

TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371		ATTORNEY'S DOCKET NUMBER 10/564494 U.S. APPLICATION NO. (If known, see 37 CFR 1.5) 10/564494
INTERNATIONAL APPLICATION NO. PCT/US2004/022816	INTERNATIONAL FILING DATE 15 July 2004	PRIORITY DATE CLAIMED 15 July 2003
TITLE OF INVENTION Method For The Preparation of Controlled Release Formulations		
APPLICANT(S) FOR DO/EO/US Gary P. Cook		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<div style="margin-bottom: 10px;">1. <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a submission under 35 U.S.C. 371.</div> <div style="margin-bottom: 10px;">2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a submission under 35 U.S.C. 371.</div> <div style="margin-bottom: 10px;">3. <input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.</div> <div style="margin-bottom: 10px;">4. <input checked="" type="checkbox"/> The US has been elected (Article 31).</div> <div style="margin-bottom: 10px;">5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2))<div style="margin-left: 20px;"><div>a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).</div><div>b. <input checked="" type="checkbox"/> has been communicated by the International Bureau.</div><div>c. <input checked="" type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</div></div></div> <div style="margin-bottom: 10px;">6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).<div style="margin-left: 20px;"><div>a. <input type="checkbox"/> is attached hereto.</div><div>b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</div></div></div> <div style="margin-bottom: 10px;">7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))<div style="margin-left: 20px;"><div>a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).</div><div>b. <input type="checkbox"/> have been communicated by the International Bureau.</div><div>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</div><div>d. <input checked="" type="checkbox"/> have not been made and will not be made.</div></div></div> <div style="margin-bottom: 10px;">8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</div> <div style="margin-bottom: 10px;">9. <input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</div> <div style="margin-bottom: 10px;">10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</div>		
Items 11 to 20 below concern document(s) or information included:		
<div style="margin-bottom: 10px;">11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</div> <div style="margin-bottom: 10px;">12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</div> <div style="margin-bottom: 10px;">13. <input checked="" type="checkbox"/> A preliminary amendment.</div> <div style="margin-bottom: 10px;">14. <input checked="" type="checkbox"/> An Application Data Sheet under 37 CFR 1.76.</div> <div style="margin-bottom: 10px;">15. <input type="checkbox"/> A substitute specification.</div> <div style="margin-bottom: 10px;">16. <input type="checkbox"/> A power of attorney and/or change of address letter.</div> <div style="margin-bottom: 10px;">17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821- 1.825.</div> <div style="margin-bottom: 10px;">18. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4).</div> <div style="margin-bottom: 10px;">19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).</div> <div style="margin-bottom: 10px;">20. <input checked="" type="checkbox"/> Other items or information: <i>certificate of Express mailing, International Search Report</i></div>		

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

U.S. APPLICATION NO. (if known, see 37 CFR 1.5) 10/564494		INTERNATIONAL APPLICATION NO. PCT/US2004/022816		ATTORNEY'S DOCKET NUMBER 007184-17 US	
The following fees have been submitted				CALCULATIONS PTO USE ONLY	
21. <input checked="" type="checkbox"/> Basic national fee..... \$300				\$ 300	
22. <input checked="" type="checkbox"/> Examination fee If International preliminary examination report prepared by USPTO and all claims satisfy provisions of PCT Article 33(1)-(4)..... \$100 All other situations..... \$200				\$ 200	
23. <input checked="" type="checkbox"/> Search fee Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority..... \$100 International Search Report prepared and provided to the Office..... \$400 All other situations..... \$500				\$ 100	
TOTAL OF 21, 22 and 23 =				\$ 600	
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE		
50 - 100 =	/50 =		x \$250	\$	
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				\$	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	\$	
Total claims	51 - 20 =	30	x \$ 50	\$ 1500	
Independent claims	4 - 3 =	1	x \$200	\$ 200	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$360	\$	
TOTAL OF ABOVE CALCULATIONS =				\$ 2300	
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2.					
SUBTOTAL =				\$ 1150	
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$	
TOTAL NATIONAL FEE =				\$ 1150	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				\$	
TOTAL FEES ENCLOSED =				\$ 1150	
				Amount to be refunded:	\$
				Amount to be charged:	\$ 1150
<p>a. <input type="checkbox"/> A check in the amount of \$ _____ to cover the above fees is enclosed.</p> <p>b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed.</p> <p>c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>502679</u>. A duplicate copy of this sheet is enclosed.</p> <p>d. <input checked="" type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</p>					
<p>NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.</p> <p>SEND ALL CORRESPONDENCE TO:</p> <p>The McCallum Law Firm, LLC PO Box 929 685 Briggs Street Erie, CO 80516</p>					
				<p style="text-align:center;"><i>Jennifer M. McCallum</i> SIGNATURE Jennifer M. McCallum NAME 52,492 REGISTRATION NUMBER</p>	

10/564494

CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)

Attorney Docket No.: 007184-17 US

Applicant: Gary P. Cook

Serial No.: Not yet assigned

International Filing Date: 15 July 2004

Title: Method For The Preparation Of Controlled Release Formulations

I hereby certify that the following correspondence:

1. Transmittal Letter Under 35 U.S.C. 371 – (2 pages)
2. Credit card payment form (1 page)
3. Preliminary Amendment (2 pages)
4. Application Data Sheet (3 pages)
5. Return postcard

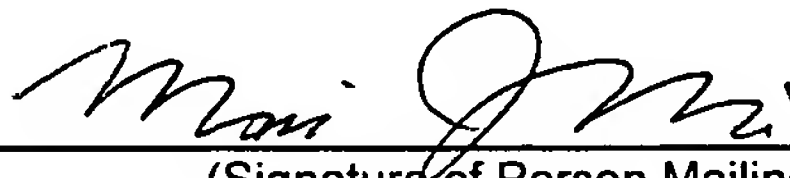
Is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to:

Mail Stop PCT
Commissioner for Patents,
PO Box 1450
Alexandria, VA 22313-1450

On January 11, 2006

Marilyn J. Morris

(Typed or Printed Name of Person Mailing Correspondence)



(Signature of Person Mailing Correspondence)

ER209397766US

("Express Mail" Mailing Label Number)

2006 JAN 11 11:00